

**Iowa Department of Human Services  
CHILD CARE CENTER COMPLAINT**

<b>Name of Center:</b> KinderCare Learning Center		<b>Enrollment:</b> 90	<b>License ID:</b> 4150000001
<b>Street:</b> 202 N 3rd Ave W	<b>City:</b> Newton	<b>IA Zip Code:</b> 50208	<b>County:</b> Jasper
<b>Mailing Address:</b> 202 N 3rd Ave W			
<b>Mailing City:</b> Newton		<b>IA Zip Code:</b> 50208	
<b>Director's Name:</b> Dana Grams		<b>Center Phone Number:</b> 641-792-4233	
<b>On-Site Supervisors:</b> Kristi Peden		<b>E-Mail Address:</b> 301605@Klcorp.com	

**Date of Complaint:** 10/7/2013

**Date of Visit:** 10/9/2013

☐ Scheduled      ☒ Unannounced      ☐ NA

☒ Non-Compliance with Regulations Found      ☐ Compliance with Regulations Found      ☐ NA

**RECOMMENDATION FOR LICENSE**

☒ **NO CHANGES to licensing status recommended**

☐ **PROVISIONAL license from**                      **to**

☐ **SUSPENSION of License**

☐ **REVOCATION of License**

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**Summary of Complaint:**

Concerns were reported in regard to infant ratio requirements not being maintained at this center. It was reported that this is not isolated and occurs on a regular basis. The director and assistant director are aware of this issue. Infants are moved between classrooms regularly when the director is trying to meet the ratio requirements. Infants are sleeping in the "pods" even though the director told staff this is not to occur as a result of the last state licensing visit.

**Licensing Rules Relevant to the Complaint:**

109.8(2)d Ratio in infant rooms is always maintained.

**Violated**

The infant classrooms have been out of ratio countless times. Staff members provided consistent statements to support this. I reviewed many forms that staff complete. These forms are completed on a daily basis, every half hour. The form provides space for the number of staff and the number of infants. The completed forms also supported this.

109.12(5)a Same caretaker for infants insofar as possible.

**Violated**

The staff members and Dana stated that infants are moved between the two classrooms as a means of maintaining ratio. This is not best for young children. Children should be provided consistency in their caregivers.

109.8(2) Ratio maintained in center as required by age.

**Violated**

The two year old classroom staff stated that their room is out of ratio. This has been an ongoing issue in this classroom.

**Inspection Findings:**

I went to the center unannounced on 10/7/13. I initially met with Kristi Peden, assistant director. I explained the purpose of the visit. Kristi said that they were not having any issues with maintaining ratio in the infant rooms at this time. Kristi said that there were some issues when the school year started, but they did some shuffling with start times of staff and things have been fine since. There was maybe a matter of minutes that ratio wasn't OK, but that was it. This was in early September. Staff made her and Dana aware of

this issue and since then, she isn't aware of any concerns with ratio in the infant classrooms. She isn't aware of any issues with infants sleeping in the pods since the last licensing visit.

Kristi and I went to the infant classrooms. The first room had six infants and two staff. There were no infants in the pods at this time. Staff didn't know what age infants the pods were to be used for. The use of the pods is to help the infants be propped up. Staff said they don't let infants sleep in the pods and they do try to move the infants out of the pods into cribs as soon as the infants go to sleep.

Kristi and I went to another infant classroom. This room had two staff and eight infants. I explained the purpose of the visit. I asked staff if ratio has been an issue in this room. Staff asked if they were going to get in trouble for talking with me. I told staff that I expected them to be honest and to make me aware if they had been reprimanded for talking with me. Staff said it was not uncommon for their room to be out of ratio. I asked if there were certain times or days for this to happen more frequently. Staff said Tuesdays and Thursdays were higher enrollment days so these were days that they were out of ratio more often. There are times in the early morning they may be out of ratio, late morning and afternoon. I looked at the room's sheets where staff document the count for children and staff. I saw 1/2 hour documents that showed two staff with nine infants several times. I also saw a few times when one staff had five infants and I saw two staff with ten infants. I asked if staff made Dana or Kristi aware when they are out of ratio, and staff said they did make them aware. I asked what response they would get. Staff said one thing Dana and Kristi will do to maintain ratio is to move infants between classrooms. Dana and Kristi will also sometimes state that there isn't any staff available to help out.

Kristi and I went to the two year classroom. There were nine kids and two staff. I explained the purpose of the visit. I asked staff if ratio has been an issue in this room. Staff said lately things have been fine as enrollment has been down in this room. They said in the past, there has been more of an issue. I asked if either of them could estimate how long ratio has been a concern. Staff said it's been an issue for a long time, probably the past few years but worse in the past year. There are currently fourteen kids in this room. There are days when they are over ratio by one or two kids. They let Dana or Kristi know they are over ratio. I asked what their response is. Staff said they have been told they don't have any staff to send to their room; they will have to wait until kids leave to go home. Sometimes there is staff to send from another room to help out.

I went to the three year old classroom. This room had ten children and two staff. I explained the purpose of the visit. Staff stated that it was known that the toddler room in particular is out of ratio many times and that infants are moved a lot between the infant and toddler classroom to try and maintain ratio in those two rooms. There isn't an issue with ratio in the older classrooms.

Kristi and I went back to the office. I told Kristi in hearing what staff had to say and in reviewing recent sheets, ratio in the infant rooms is an issue that needs to be addressed. Kristi said that ratio was an issue during the time that the school year was starting and that they changed some start times of staff and she believed the issue was resolved. I told Kristi that she was not being honest and that she heard what staff stated. I also told Kristi that there were forms that staff completed that supported their statements. I told Kristi that these were only recent forms and that staff said this was not just a recent or isolated issue. I told Kristi that she needed to call Dana as I was concluding my interview with her as she was not going to be forthright with me.

I met with Dana. Dana was aware of what was going on as she talked with Kristi. Dana said she was aware that when the school year started, they were having issues in the infant area so they changed some start times of staff and she thought the ratio issue was taken care of. I told Dana this was her opportunity to be honest about what had been going on in the infant classrooms. I told Dana that staff had provided consistent statements and I had also seen recent records. I told her if she was going to be dishonest I was going to just go through records rather than have her be dishonest with me. Dana said that there were times that the classrooms were out of ratio for a few minutes but she was doing everything possible to have the rooms be in ratio. I told her that wasn't true as the rooms were out of ratio more than a few minutes and that it would sometimes happen more than once in a day. I asked Dana why she hadn't hired more staff. Dana said it's hard to find quality staff. Dana said there were a couple of people that she was looking to hire. I told her that I would think she needed three full time people as it appeared they were constantly shorthanded. Dana said last week one staff was on vacation and that is why things were bad last week. I told her that although that may be true, it appeared that these two classrooms were consistently short staffed. In addition, it is very poor practice to be shifting infants between classrooms. Dana agreed with this and said she had to do this in an attempt to maintain ratios in the rooms.

I asked Dana what had happened to make the center get in this situation. Dana said that it's difficult to get quality people hired. She also said that children arriving at the center at different times makes it challenging to know how to staff for this. She said that KinderCare's labor tool makes it hard to justify hiring more staff as it makes it appear they don't need more staff at this time. She understands ratio is important and she will make whatever changes are necessary to get this corrected. I told Dana she needs to contact Heather Bartleman, the District Supervisor, about this and that I would like to speak with Heather as soon as possible.

Since the visit, I have received updates and been in contact with Heather. The center has hired four full time employees. Heather is going to be monitoring this center very closely as part of an internal corrective action plan.

**Special Notes and Action Required:**

Heather will be in contact with me if the center is not in compliance with KinderCare's corrective action plan. Heather is going to be closely monitoring the situation and will make the necessary changes to ensure this center is in compliance with DHS Licensing Rules and Regulations, in particular ratios in the younger children's classrooms.

I will continue doing unannounced visits to monitor the situation.

**Consultant's Signature:**

**Date:**

10/11/2013

A handwritten signature in cursive script that reads "Melinda Ross".